

ENTERED

October 26, 2015

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION

RAUL MADRIGAL, <i>et al.</i> ,	§	
	§	
Plaintiffs	§	
VS.	§	CIVIL ACTION NO. 5:12-CV-195
	§	
GUARDIAN A DIVISION OF GREENE'S ENERGY GROUP, LLC, <i>et al.</i> ,	§	
	§	
Defendants.	§	

ORDER

On September 25, 2015, United States Magistrate Judge Diana Song Quiroga issued a Report and Recommendation (Dkt. No. 148) in accordance with 28 U.S.C. § 636(b)(1) recommending that the Parties' Joint Motion for Approval of the FLSA Settlement (Dkt. No. 139) be granted. Magistrate Judge Song Quiroga, however, recommended such approval be based upon "a slight modification to the amount of Plaintiffs' attorneys' fees [to] award Mr. Chapman \$194,767.65 in fees and Mr. Gonzalez \$20,487.50 in fees for a combined total of \$215,255.15 in attorneys' fees from the corpus of the settlement." (Dkt. No. 148 at 14).

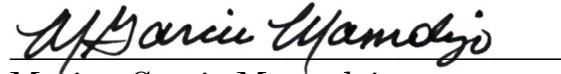
Failure to file written objections to the proposed findings and recommendations of a magistrate judge within fourteen (14) days after being served with a copy of the report bars a party from *de novo* review by the district court of the proposed findings and recommendations and, except upon grounds of plain error, also bars the party from appellate review of proposed factual findings and legal conclusions accepted by the District Court. 28 U.S.C. § 636(b)(1); *Thomas v.*

Arn, 474 U.S. 140, 150–53 (1985). No objections to the Report and Recommendation were filed within the 14-day period set forth in 28 U.S.C. § 636(b)(1)(C), and Plaintiffs further expressed their assent to the Report by filing a Notice of No Objection (Dkt. No. 149). Having conducted a plain error review of the proposed findings and recommendations, the Court hereby **ADOPTS** the Report and Recommendations as the findings of the Court. Accordingly, it is **ORDERED** that:

- (1) The Report and Recommendation (Dkt. No. 148) is **APPROVED AND ADOPTED** as the opinion of this Court;
- (2) The Parties' Joint Motion for Approval of the FLSA Settlement (Dkt. No. 139) is **APPROVED**; and
- (3) Plaintiffs' attorneys' **AWARD** is modified as stated above.

It is so **ORDERED**.

SIGNED this 26th day of October, 2015.



Marina Garcia Marmolejo
United States District Judge